

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Anantharamiah <i>et al.</i>)	Art Unit: 1649
)	
Application No. 10/712,447)	Examiner: Daniel E. Kolker
)	
Filing Date: November 13, 2003)	Confirmation No. 8707
)	
For: SYNTHETIC SINGLE DOMAIN POLYPEPTIDES)	
MIMICKING APOLIPOPROTEIN E AND)	
METHODS OF USE)	

TERMINAL DISCLAIMER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

BALLARD SPAHR ANDREWS & INGERSOLL, LLP
Customer Number 23859

Sir:

Petitioner, The UAB Research Foundation, is owner of the entire interest (1) in the above-identified application as evidenced by the assignment from inventors Gattadahalli M. Anantharamiah, David W. Garber, and Geeta Datta, recorded on Reel 016853, Frame 0598, thereby establishing a chain of title from the inventors to Petitioners for the above-identified application, and (2) in co-pending U.S. Patent Application No. 11/405,601 as evidenced by the assignment from inventors Gattadahalli M. Anantharamiah, David W. Garber, and Geeta Datta, recorded on Reel 016853, Frame 0598, thereby establishing a chain of title from the inventors to Petitioners.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and § 173, as shortened by any terminal disclaimer, of U.S. Patent Application No. 11/405,601. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent Application No. 11/405,601 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and § 173 of U.S. Patent Application No. 11/405,601 as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is empowered to act on behalf of The UAB Research Foundation.

I declare that all statements made herein of my own knowledge and belief are true and that all statements made on information and belief are believed to be true, and further, that the statements are made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such

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APPLICATION NO. 10/712,447

willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The UAB Research Foundation

Date: 9-2-08

Name: David Winwood, Ph.D.

Title: Chief Executive Officer

Signature: 